

1  
2  
3  
4  
5  
6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA  
8

9 Richard Delbert Cox,

10 Petitioner,

11 v.

12 Charles L. Ryan, et al.,

13 Respondents.

No. CV16-0485 PHX DGC (DKD)

**ORDER**

14  
15 Petitioner Richard Delbert Cox has filed a petition for writ of habeas corpus  
16 pursuant to 28 U.S.C. § 2254. Doc. 1. United States Magistrate David K. Duncan has  
17 issued a report and recommendation (“R&R”) recommending that the petition be denied  
18 and dismissed with prejudice. Doc. 13. No objection has been filed, which relieves the  
19 Court of its obligation to review the R&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P.  
20 72(b)(3); *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328  
21 F.3d 1114, 1121 (9th Cir. 2003). The Court will accept the R&R and deny the petition.

22 **IT IS ORDERED:**

- 23 1. The R&R (Doc. 13) is **accepted**.  
24 2. The petition for writ of habeas corpus (Doc. 1) is **denied and dismissed**  
25 **with prejudice**.  
26 3. A certificate of appealability and leave to proceed *in forma pauperis* on  
27 *appeal are denied*  
28

